

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. MARK ALLEN KILGORE, Defendant.	MJ 20- -M-KLD AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
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The undersigned, Kyle Solon, affiant being duly sworn states:

1. I am employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, and have been so employed since January 2016. I am currently assigned to the Helena, Montana, Field Office within the Denver Field Division. I am tasked with investigating violations of federal firearms, explosives, and narcotics laws. Prior to employment as an ATF Special Agent, I was certified by the Georgia Peace Officer Standards and Training Council (P.O.S.T.) and employed as a police officer continuously for six years with Cobb County Police Department in Cobb County, Georgia. During my time as a police officer, I successfully applied for,

was granted, and executed over a hundred state arrest and search warrants. I received a Bachelor's degree in Criminal Justice from the University of Georgia in Athens, Georgia. I am also a graduate of the Criminal Investigator Training Program from the Federal Law Enforcement Training Center, as well as the ATF National Academy, both of which are located in Glynco, Georgia.

2. During my tenure as an ATF Special Agent, I have led and assisted in multiple investigations related to federal and state criminal firearms, explosives, and narcotics violations. I have obtained multiple federal search warrants, participated in the execution of numerous federal and state search and seizure warrants for firearms, explosives, and narcotics violations, and have conducted interviews of suspects, witnesses, and informants relating to various types of crimes. These warrants involved the search of locations ranging from residences and businesses to vehicles and storage facilities. Items searched for, recovered and seized in these locations have included narcotics, explosives, ammunition, firearms of all types, including those illegal to possess under any circumstance, records pertaining to the previous purchase or sale of ammunition and firearms, as well as documents demonstrative of ownership of those illegal and seized items.

3. I have also received specialized training in the investigation of federal firearms and explosives violations from the ATF National Academy, located within the Federal Law Enforcement. I make this affidavit from personal

knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause to support a criminal complaint and arrest warrant and does not contain all details or all facts of which I am aware relating to this investigation.

4. On July 1, 2020, deputies from the Lincoln County Sheriff's Office were executing a signed state search warrant at Mark KILGORE'S residence, looking for evidence related to animal cruelty and criminal endangerment. During the execution of the warrant, they located multiple firearm silencers and short-barreled rifles. Lincoln County Sheriff Deputies then stopped searching and contacted the ATF for guidance.

5. Lincoln County Sheriff Deputies then obtained another search warrant signed by a district court judge for silencers and short-barreled rifles that were in violation of Montana law. During the execution of their second search warrant, Lincoln County Sheriff Deputies located multiple firearm silencers, short-barreled rifles, machine guns, and a suspected destructive device.

6. I queried the ATF National Firearm Registration and Transfer Record for items associated with Mark KILGORE. Only four firearm silencers were found

to be registered to KILGORE. No machine guns or destructive devices were found to be registered to KILGORE.

7. On July 2, 2020, ATF Special Agents executed a federal search warrant at Mark KILGORE's residence at 418 Vanderwood Road, Libby, MT 59923. ATF Special Agents located three machine guns, ten short-barreled rifles, three short-barreled shotguns, 32 silencers, two destructive devices, one any other weapon, over 100 other firearms, and approximately 6,000 pounds of ammunition.

8. At least three of the firearms seized from Mark KILGORE's residence by ATF Special Agents had obliterated serial numbers.

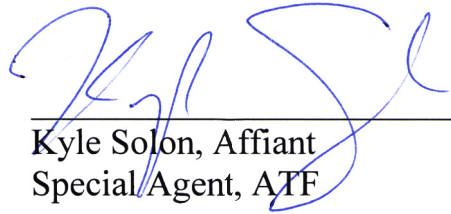
9. Based on the foregoing, I submit that there is probable cause to believe that on or about July 2, 2020, Mark KILGORE committed the offenses of *Possession of a Machine Gun*, in violation of Title 18 U.S.C. § 922(o), *Possession of a firearm not registered in the National Firearms Registration and Transfer Record*, in violation of 26 U.S.C. § Section 5841, 5845(a), 5861(d), 5871, and *Possession of a firearm with an obliterated serial number*, in violation of Title 18 U.S.C. § 922(k).

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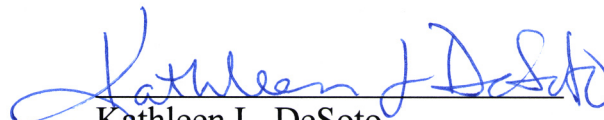
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Kyle Solon, Affiant
Special Agent, ATF

Based on the Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe there is evidence of the offenses set forth in the affidavit.

DATED this 7th day of July, 2020.



Kathleen L. DeSoto
United States Magistrate Judge